

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

UNITED STATES OF AMERICA
upon the relation and for the use of the
TENNESSEE VALLEY AUTHORITY,
Plaintiff,

v.

No. 3:21-cv-00230-NBB-RP

AN EASEMENT AND RIGHT-OF-WAY
OVER 1.26 ACRES OF LAND, MORE OR LESS,
IN DESOTO COUNTY, MISSISSIPPI, and
RICHARD B. GENTRY,
FOCAL POINT INVESTMENT, LLC,
a Tennessee limited liability company,
Defendants.

ORDER OF POSSESSION

Pursuant to Title 40 United States Code Section 3114-3118, which authorizes the Court “to give the Government immediate possession of the [condemned] property,” *United States v. Miller*, 317 U.S. 369, 381, 63 S. Ct. 276, 87 L. Ed 336 (1943), it is hereby ORDERED that the Tennessee Valley Authority, as agent of the United States of America, be put into immediate possession of the property described in the Declaration of Taking filed in this action to the extent necessary to permit the Tennessee Valley Authority to carry on any of its operations described in the pleadings filed herein, and that the Defendants in such action surrender possession of said property to the Tennessee Valley Authority accordingly.

It is SO ORDERED, on this the 11th day of February, 2022.

/s/ Neal Biggers

NEAL B. BIGGERS, JR.

UNITED STATES DISTRICT JUDGE